



**Dinsmore & Shohl** LLP  
ATTORNEYS

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November 5, 2007

**FIRST-CLASS MAIL**

Mark Navarre, Esq.  
Ohio Environmental Protection Agency  
Lazarus Government Center  
122 South Front Street  
Columbus, Ohio 43215-1099

**Re: North Sanitary Landfill Superfund Site**

Dear Mark:

Pursuant to the requirements contained therein, I hereby certify, as counsel to the Valleycrest Landfill Site Group ("VLSG"), that the enclosed Environmental Covenant has been recorded on the parcels of land in Montgomery County, Ohio that make up the North Sanitary Landfill Superfund Site, also known as the Valleycrest Landfill. I have also enclosed as an attachment a date-stamped copy of the recorded Environmental Covenant.

Yours truly,

Vincent B. Stamp  
Counsel to the Valleycrest Landfill Site Group

Enclosure

cc: VLSG  
U.S. EPA (Cynthia Kawakami, Esq.)  
The Keystone Gravel Company (Joe McGregor)  
City of Dayton, Ohio (Donna Winchester)  
City of Riverside, Ohio (Mary Ann Brane)  
Montgomery County Commissioners (Carol A. Prewitt, Clerk)  
Old North Dayton Neighborhood Association (Teresa Horvath)  
Valleycrest Neighbors and Concerned Citizens (Emilee George)

10934-1  
SHS

To be recorded with Deed  
Records - ORC § 317.08

### ENVIRONMENTAL COVENANT

This Environmental Covenant is entered into by The Keystone Gravel Company, an Ohio corporation, with an address at 333 Oakwood Avenue #2B, Dayton, Ohio 45409 ("Owner"), the Valleycrest Landfill Site Group, represented by its agent, de maximis, inc., with an address at 450 Montbrook Lane, Knoxville, Tennessee 37919, ("Holder"), and the Ohio Environmental Protection Agency ("Ohio EPA") pursuant to Ohio Revised Code ("ORC") §§5301.80 to 5301.92, for the purpose of subjecting the Property (as defined herein) to the activity and use limitations and to the rights of access set forth herein.

WHEREAS, Owner is the owner of certain real property consisting of parcels of land situated in Dayton, Montgomery County, Ohio and legally described in Exhibit "A" hereto (collectively referred to herein as the "Property"); and

WHEREAS, the Property comprises most of the North Sanitary Landfill Superfund Site ("Site"), encompassing approximately 102 acres, located at 200 Valleycrest Drive in the City of Dayton, Montgomery County, Ohio, and depicted more particularly on the map attached as Appendix A to the January 31, 1995 Final Findings & Orders ("1995 FF&Os") issued by the Director of the Ohio EPA, where the treatment, storage, and/or disposal of hazardous substances, and/or the discharge into waters of the state of industrial waste and/or other waste may have occurred; and

WHEREAS, pursuant to the 1995 FF&Os certain entities that comprise Holder agreed to perform certain interim actions and a remedial investigation and feasibility study of the Site, including the Property, to determine the nature and extent of any contamination at the Site, assess any risks to human health and the environment posed by the contamination, and develop and analyze remedial actions to address identified risks; and

WHEREAS, the administrative record for the Site is located at Ohio EPA's Southwest District Office, 401 East 5<sup>th</sup> Street, Dayton, Ohio 45402; and

WHEREAS, the entities that comprise Holder are alleged to be liable as potentially responsible parties ("PRPs") under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA"), as amended, 42 U.S.C. § 9601 et seq. with respect to the Property; and

WHEREAS, certain entities that comprise Holder and others executed with the United States Environmental Protection Agency ("U.S. EPA") an Administrative Order on Consent ("AOC"), effective September 13, 1998, relating to the Site pursuant to which certain entities that comprise Holder performed a drum removal and continue to investigate and control landfill gas as required by the AOC; and

1265302\_12.DOC  
Montgomery County Recorder  
William E. Blackshear  
SP-1-07-089930 0025  
\$212.00 10/24/07 14:35:01

WHEREAS, in order to implement the remedy that may be selected for the Site, including operation and maintenance of the remedy, it is necessary to impose certain activity and use limitations on the Property as stated herein for the purpose of protecting human health and the environment; and

WHEREAS, the City of Dayton has approved a Valleycrest Reuse Framework adopted by the Dayton City Commission on October 5, 2005 (the "Reuse Framework") for the Property, a copy of which Reuse Framework is attached hereto as Exhibit "B".

NOW THEREFORE, Owner, Holder, and Ohio EPA agree to the following:

1. Environmental Covenant. This instrument is an environmental covenant developed and executed pursuant to ORC §§5301.80 to 5301.92.

2. Property. This Environmental Covenant concerns approximately 102+ acres of real property in Dayton, Montgomery County, Ohio and more particularly described in Exhibit "A" attached hereto and hereby incorporated by reference herein (the "Property").

3. Owner. The Keystone Gravel Company, an Ohio corporation, whose address is listed above ("Owner"), is the owner of the Property.

4. Holder. The Valleycrest Landfill Site Group, whose address is listed above ("Holder") is the Holder of this Environmental Covenant.

5. Activity and Use Limitations. In order to facilitate the implementation of future monitoring and remedial work by U.S. EPA, Ohio EPA and/or Holder, as well as the remedy that may be selected for the Site, and to protect human health and the environment, Owner hereby imposes and agrees to comply with the following activity and use limitations:

A. No water wells, for potable use, shall be installed on any part of the Property. In no event shall any groundwater located at or underlying any part of the Property be used for any purpose, potable or otherwise, except for groundwater remediation, monitoring or investigation.

B. The Property shall not be used for Residential Activities. The term "Residential Activities" shall include the following:

- i. Single and multi-family dwelling units (both owner-occupied and rental);
- ii. Day care centers;
- iii. Hotels, motels and rooming houses;
- iv. Correctional facilities and detention centers;
- v. Transient or other residential facilities;
- vi. Elementary and secondary schools; and/or
- vii. Hospitals and other extended medical care facilities.

C. The Property shall not be used

- i. for any purposes inconsistent with the commercial/retail, light industrial, recreational and other uses specified in the Reuse Framework; or
- ii. in any manner that would interfere with the investigation, monitoring or remediation described in the 1995 FF&Os or the AOC, or in any manner that would be inconsistent with the remedy that may be selected.

In the event that any action by or on behalf of a person who owns an interest in or holds an encumbrance on the Property constitutes a violation of these activity and use limitations, Holder, Owner or Transferee, as defined herein, shall notify Ohio EPA within thirty (30) days of becoming aware of the event or action, and Owner, Transferee or Holder, to the extent that Holder has the reasonable ability to do so, shall remedy the violation of the activity and use limitations within sixty (60) days of becoming aware of the event or action, or such other time frame as may be agreed to by Holder, the Owner or Transferee and Ohio EPA.

6. Running with the Land. This Environmental Covenant shall be binding upon the Owner and all assigns and successors in interest, including any Transferee, and shall run with the land, pursuant to ORC §5301.85, subject to amendment or termination as set forth herein. The term "Transferee," as used in this Environmental Covenant, shall mean any future owner of any interest in the Property or any portion thereof, including, but not limited to, owners of an interest in fee simple, mortgagees, easement holders, and/or lessees.

7. Compliance Enforcement. Compliance with this Environment Covenant may be enforced pursuant to ORC §5301.91 or other applicable law. Failure to timely enforce compliance with this Environmental Covenant or the activity and use limitations contained herein by any party shall not bar subsequent enforcement by such party and shall not be deemed a waiver of the party's right to take action to enforce any non-compliance. Nothing in this Environmental Covenant shall restrict the Director of Ohio EPA and the Administrator of U.S. EPA from exercising any authority under applicable law.

8. Rights of Access. Owner hereby grants to Ohio EPA, its agents, contractors and employees, and to the Holder, their agents, contractors, and employees, the right of access to the Property for implementation or enforcement of this Environmental Covenant.

9. Compliance Reporting. Holder shall submit to Ohio EPA on an annual basis in its monthly Progress Report for June of each year written documentation verifying that the activity and use limitations remain in place and are in compliance with this Environmental Covenant.

10. Notice upon Conveyance. Each instrument hereafter conveying any interest in the Property or any portion of the Property shall contain a notice of the activity and use limitations set forth in this Environmental Covenant, and provide the recorded location of this Environmental Covenant. The notice shall be substantially in the following form:

reports with  
be submitted

THE INTEREST CONVEYED HEREBY IS SUBJECT TO AN ENVIRONMENTAL COVENANT, DATED \_\_\_\_\_, 200\_, RECORDED IN THE DEED OR OFFICIAL RECORDS OF THE MONTGOMERY COUNTY RECORDER ON \_\_\_\_\_, 200\_, IN [DOCUMENT \_\_\_\_\_, or BOOK, \_\_\_\_\_ PAGE \_\_\_\_\_]. THE ENVIRONMENTAL COVENANT CONTAINS THE FOLLOWING ACTIVITY AND USE LIMITATIONS: GROUNDWATER RESTRICTION; RESIDENTIAL USE RESTRICTION; AND RESTRICTION ON USE INCONSISTENT WITH INVESTIGATION, MONITORING, REMEDIATION OR REUSE.

Owner or any Transferee shall notify Holder and Ohio EPA within ten (10) days after each conveyance of an interest in any portion of the Property. Notice by the Owner or Transferee shall include the name, address, and telephone number of the Transferee of such Property interest, a copy of the deed or other documentation evidencing the conveyance, a legal description of the Property interest being transferred, a survey map of the Property interest being transferred, and the closing date of the transfer of ownership of the Property interest.

11. Representations and Warranties. Owner hereby represents and warrants to the other signatories hereto:

- A. that the Owner is the sole owner of the Property;
- B. that the Owner holds fee simple title to the Property;
- C. that the Owner has the power and authority to enter into this Environmental Covenant, to grant the rights and interests herein provided and to carry out all obligations hereunder;
- D. that the Owner has identified all other persons that own an interest in or hold an encumbrance on the Property and notified such persons of the Owner's intention to enter into this Environmental Covenant; and
- E. that this Environmental Covenant does not materially violate or contravene or constitute a material default under any other agreement, document or instrument to which Owner is a party or by which Owner may be bound or affected.

12. Amendment or Termination. This Environmental Covenant may be amended or terminated only by written consent of all of the following: the Owner or a Transferee, the Holder, and the Ohio EPA, pursuant to ORC §5301.90 and other applicable law. Amendment means any changes to the Environmental Covenant, including the activity and use limitations set forth herein, or the elimination of one or more activity and use limitations when there is at least one limitation remaining. It is anticipated that the amendment of this Environmental Covenant may be necessary or appropriate after selection of the remedy for the Site. Termination means the elimination of all activity and use limitations set forth herein and all other obligations under this Environmental Covenant.

This Environmental Covenant may be amended or terminated only by a written instrument duly executed by the Director of Ohio EPA, the Holder and the Owner or Transferee of the Property or portion thereof, as applicable. Within thirty (30) days of signature by all requisite parties on any amendment or termination of this Environmental Covenant, the Owner or Transferee shall file such instrument for recording with the Montgomery County Recorder's Office and shall provide a true copy of the recorded Instrument to Ohio EPA and U.S. EPA.

13. Severability. If any provision of this Environmental Covenant is found to be unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired.

14. Governing Law. This Environmental Covenant shall be governed by and interpreted in accordance with the laws of the State of Ohio.

15. Recordation. Within thirty (30) days after the date of the final required signature upon this Environmental Covenant, Owner or Holder shall file this Environmental Covenant for recording in the Office of the Montgomery County Recorder in the same manner as a deed to the Property, pursuant to ORC §5301.88. Within ten (10) days of the recording of this Environmental Covenant, Owner or Holder shall certify to Ohio EPA that the Environmental Covenant has been filed for recording, and shall include with the certification a filed and date-stamped copy of the recorded Environmental Covenant.

16. Effective Date. The effective date of this Environmental Covenant shall be the date upon which the fully executed Environmental Covenant has been recorded as a deed record for the Property with the Montgomery County Recorder's Office.

17. Distribution of Environmental Covenant. The Owner shall distribute copies of the recorded Environmental Covenant to: U.S. EPA, Ohio EPA, the Holder, any lessee, each person holding a recorded interest in the Property, the City of Dayton, Ohio, the City of Riverside, Ohio, the Montgomery County Commissioners, the Old North Dayton Neighborhood Association, and the Valleycrest Neighbors and Concerned Citizens organization.

18. Notice. Unless otherwise notified in writing by or on behalf of any party hereto, any document or communication required by this Environmental Covenant shall be submitted to:

Ohio EPA, Southwest District Office  
c/o Valleycrest Landfill Site Coordinator  
Division of Emergency and Remedial Response  
401 East 5<sup>th</sup> Street  
Dayton, Ohio 45402

Valleycrest Landfill Site Group  
c/o VLSG Alternate Project Coordinator  
de maximis, inc.

450 Montbrook Lane  
Knoxville, Tennessee 37919

The Keystone Gravel Company  
Keystone Sand & Gravel  
333 Oakwood Avenue #2B  
Dayton, OH 45409

The undersigned representatives of Owner and Holder represent and certify that they are authorized to execute this Environmental Covenant.

This Environmental Covenant has been executed as of the 18 day of JULY, 2007.

**THE KEYSTONE GRAVEL COMPANY**, an  
Ohio corporation

By: J.N. Uecker

Its: President

STATE OF OHIO )

SS:

COUNTY OF MONTGOMERY)

This instrument was acknowledged before me this 18 day of July, 2007  
by J.R. McGregor, President of The Keystone Gravel Company, an  
Ohio corporation, on behalf of the corporation.

Charles D. Shook  
Notary Public

CHARLES D. SHOOK, Attorney at Law  
Notary Public, State of Ohio  
My Commission has no expiration date  
Section 147.03 R.C.

PREPARED BY: STEVE SCHRIEBER, ATTORNEY

VALLEYCREST LANDFILL SITE GROUP

By: *de maximis, inc.*, a Tennessee corporation,  
its Agent

By: Michael A Miller

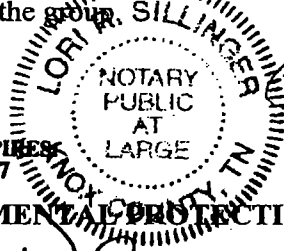
Its: Chief Operating Officer

STATE OF Tennessee )

COUNTY OF KNOW )

SS:

This instrument was acknowledged before me this 17<sup>th</sup> day of September, 2007  
by Michael A. Miller, COO of *de maximis, inc.*, a Tennessee  
corporation, on behalf of the corporation, in its capacity as agent of the Valleycrest Landfill Site  
Group, on behalf of the group.



MY COMMISSION EXPIRES  
December 22, 2007

[Signature]  
Notary Public

OHIO ENVIRONMENTAL PROTECTION AGENCY

[Signature]  
Chris Korleski, Director

10/10/07  
Date

State of Ohio )

) ss.

County of Franklin )

Before me, a notary public, in and for said county and state, personally appeared Chris Korleski, the Director of Ohio Environmental Protection Agency, who acknowledged to me that he did execute the foregoing instrument on behalf of Ohio Environmental Protection Agency.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed my official seal  
this 10<sup>th</sup> day of OCTOBER, 2007.



Charma Diane Casteel  
Notary Public

CHARMA DIANE CASTEEL  
NOTARY PUBLIC  
STATE OF OHIO  
MY COMMISSION EXPIRES  
MAY 10, 2009



**EXHIBIT "A"**  
**Legal Descriptions**

Situated in the State of Ohio, County of Montgomery, City of Dayton being more particularly described as follows:

Being City of Dayton lot numbers 74599, 74603, 74604, 74618,  
74620, 74622, 74623, 74619, 74621, 74624, 74633, 74634, 74635,  
74636, 74600 and 79327

**EXHIBIT "B"**  
**Valleycrest Reuse Framework**

# Valleycrest Reuse Framework

Prepared for: The City of Dayton, Office of Economic Development



Case RC-017-2005 approved by City of Dayton Plan Board on August 16, 2005  
Informal Resolution No. 655-05 adopted by the Dayton City Commission on October 5, 2005

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# Definitions

**Federal EPA** - Federal Environmental Protection Agency

**Ohio EPA** - Ohio Environmental Protection Agency

**NEPB** - Northeast Priority Board

**ONDNA** - Old North Dayton Neighborhood Association

**RFT** - Reuse Facilitation Team

**VNCC** - Valleycrest Neighbors and Concerned Citizens





# Introduction

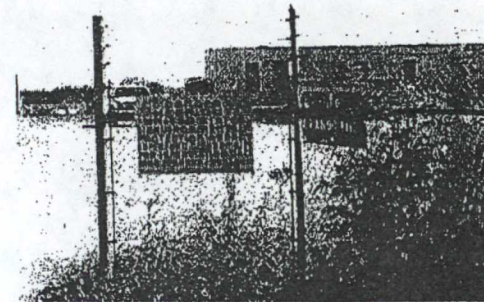
## Background

The 100 acre Valleycrest Landfill is situated in the northeast section of Dayton between the Mad and Miami Rivers. It is surrounded by a mixed-use residential neighborhood of single family homes, apartments, and commercial uses. The City of Riverside lies to the north and the Old North Dayton Neighborhood to the west. Valleycrest lies between the City of Dayton's two well fields: the Miami Well Field to the northwest and the Mad River Well Field to the southeast. Between 1966 and 1975, after extensive quarrying, the site was used as an industrial and municipal solid waste landfill. The western 1/3 of Valleycrest, along Brandt Pike, received slag and foundry sands while the eastern 2/3 of the site was filled primarily with municipal and industrial wastes. During its time of operation thousands of drums, since removed, containing industrial waste products were hauled to the site. The landfill was placed on the National Priorities List of Superfund sites on May 31, 1994.

Superfund sites such as this one cannot be planned in the same manner as "greenfield sites", or previously undeveloped lands. Because of its long history of excavation and filling, the Valleycrest Landfill site is physically limited in the way in which it can be redeveloped. The western 1/3 of the site will be capable of supporting traditional building loads due to the foundry sands and slag that were deposited here. The eastern 2/3 of the site, however, will be restricted to lightweight structures (such as restrooms, concession stands, etc.), commercial activity and recreational uses. Portions of the site may require capping coverage. Continued environmental monitoring will be necessary due to the methane gas production, the close proximity to residential neighborhoods, and the location between the two drinking water well fields. Recognizing these limitations is of critical importance in order to develop a site-sensitive redevelopment solution.

Despite its extensive constraints, the size and location of the Valleycrest site offers a rare and exciting opportunity to do something on a large scale in northeast Dayton. Located adjacent to Route 4, it provides an exceptional opportunity to connect with Downtown Dayton, the Mad River Recreation Corridor, and Wright-Patterson Air Force Base. It is a few miles from the proposed Tech Town development at Webster Station and about 11 miles from Dayton International Airport. The following are key components of the local and regional context (also see context map page 4):

- Old North Dayton Neighborhood
- Downtown Dayton
- The Mad River Recreation Corridor
- Springfield Street Entertainment Office Center
- Wright-Patterson Museum and Visitor Center
- Wright-Patterson Air Force Base
- Wright State University
- The Harshman Commercial Corridor
- Tech Town
- Dayton International Airport
- The City of Riverside





# Introduction

## Opportunities

For the redevelopment of Valleycrest to be successful, a customized strategy must be developed. It is critical that this redevelopment strategy include concepts with responsible economic positioning, responsive site design, and substantial community support. Due to the fact that former landfill sites require additional effort and funding to redevelop, strategic economic positioning and niche marketing techniques should be implemented which would focus on non-traditional, emerging economic sectors. These emerging sectors, such as green power production, will attract developers, public interest, and assist in creating a positive, renewed image of Valleycrest.

The primary goal for redevelopment of the site is to create a neighborhood-centered development, with positive implications for job creation and environmental reconditioning. The site's limited load-bearing capacity and need for some type of ongoing environmental remedial measures may inhibit conventional, market-driven development.

### Industrial Use:

The market for traditional space appears to be saturated, as a nearby industrial park continues to sit vacant more than a year after final platting and installation of public infrastructure. However, the availability of substantial acreage, with access to and visibility from Route 4 may support specialized light industry in unique combinations.

### Commercial Use:

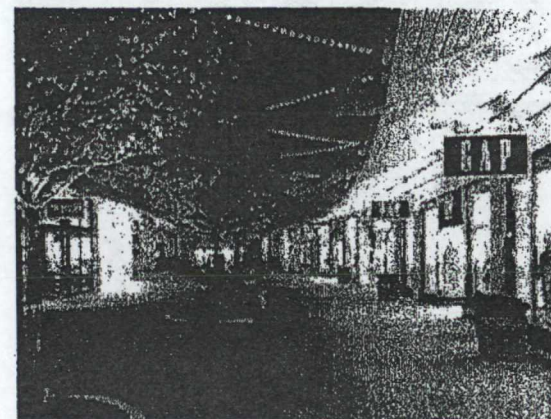
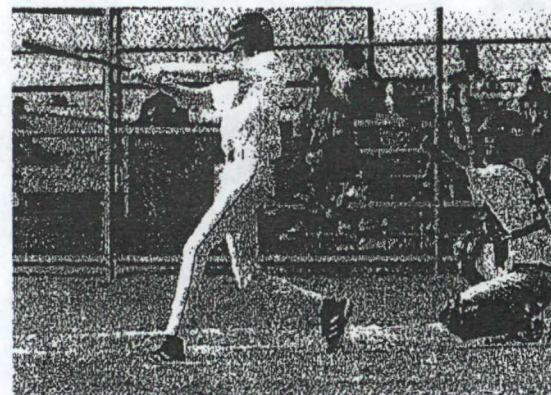
Given the site's constraints and the surrounding empty businesses along the commercial areas of Valley Street, quality commercial uses will likely not drive redevelopment. Although the interior of the site could easily support land-intensive commercial uses that every city needs (mini-warehouses, lumberyards, and other quasi-industrial uses), such uses would be difficult to mesh with the surrounding residential neighborhoods. As the site redevelops, potential for small-scale commercial/retail development will improve particularly on areas fronting Valley Street. The non-commercial activities on site may ultimately generate supporting commercial spin-off in surrounding areas.

### Residential Use:

Given that the site will continue to generate methane, residential redevelopment is not a viable option.

### Recreational Use:

Publicly accessible, active hardscape and softscape recreational use, such as baseball and soccer fields, BMX biking and walking trails, are appropriate uses given the potential requirement to cap portions of the site. Additionally, the adjacent neighborhoods would directly benefit from such uses. The Mad River Recreation Corridor to the south could connect on site recreation to Downtown and the Wright-Patterson Air Force Base.





# Introduction

## Concepts For Redevelopment

Based on its regional and local context, as well as its redevelopment constraints, the Valleycrest site would benefit from uses that emphasize green, environmentally-friendly activities and building practices that incorporate employment, recreational, and semi-educational attributes. The following uses are mutually beneficial when grouped together in a single location and can work to transform the Valleycrest site into a successful asset to its community. Potential concepts for redevelopment on the Valleycrest site are:

- **Active and Passive Recreation**

Hardscape and softscape active recreational uses such as soccer and baseball fields, BMX biking and walking trails are acceptable, and would provide an additional barrier between the areas of land that may be capped and subsurface materials. Recreation amenities also provide tangible neighborhood benefits and provide an open space component for the development. The Valleycrest site is also adjacent to the Mad River Recreation Corridor to the south, which could connect onsite recreational uses to Downtown Dayton as well as Wright-Patterson Air Force Base.

- **Green Power Production**

Green Power Production facilities could provide a reliable, clean power source for the industrial uses on site as well as the surrounding neighborhoods.

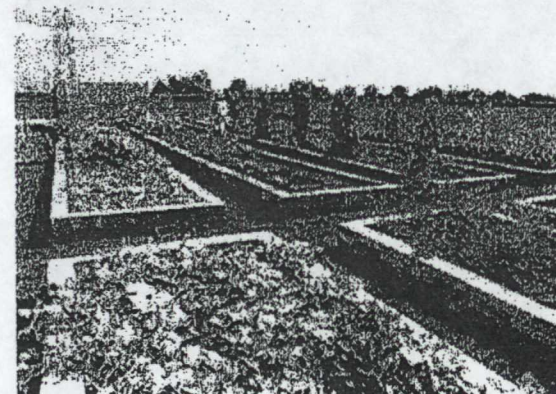
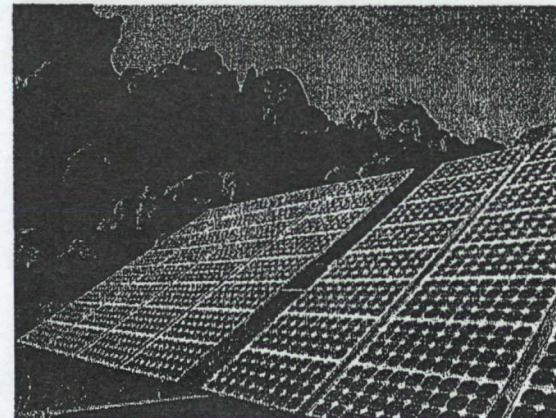
- **Urban Agriculture and Horticulture**

Urban Agriculture and Horticulture on the Valleycrest site would produce cleaner air, fresh produce to sell in the local economy as well as other positive effects. Lightweight greenhouse structures would be ideal on this site due to its load-bearing limitations and would provide an additional barrier between the surface and subsurface.

- **Eco-Industrial Development**

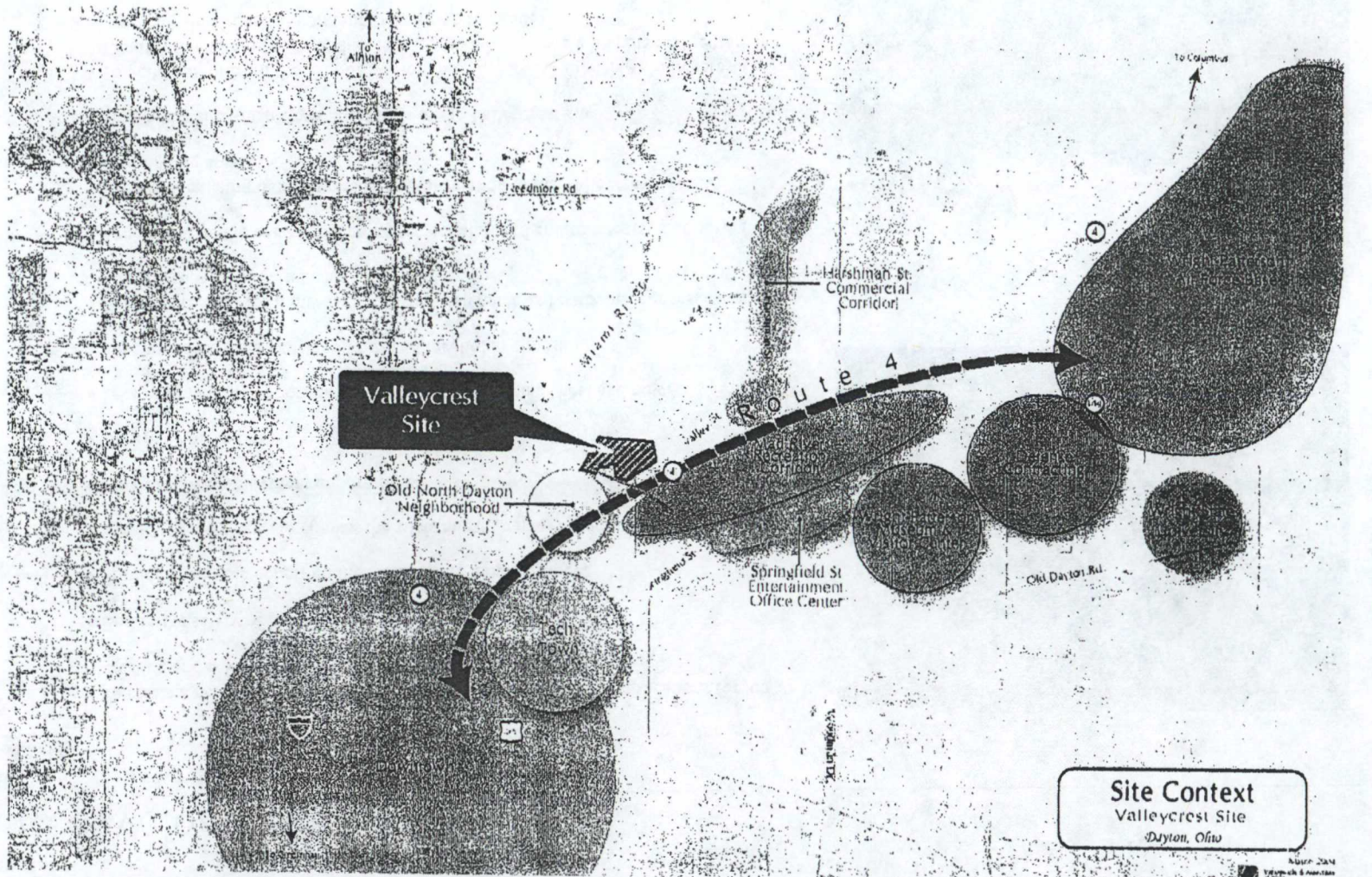
Eco-Industrial development on site would create jobs while manufacturing products in a clean, quiet and more environmentally friendly process. Eco-industrial structures are typically built with energy efficient building materials and implement energy-saving methods.

The purpose of the Valleycrest Reuse Framework is to guide the decision making process for the redevelopment of this vital piece of the Dayton community and to assist in further defining the future of Valleycrest.





# Context

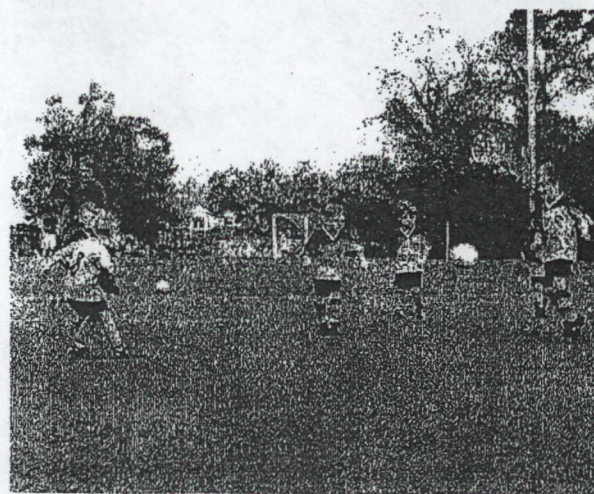
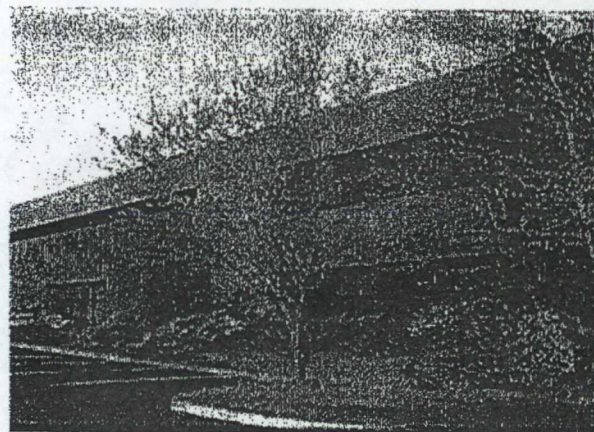




# Redevelopment Goals

## Goals

- To create a neighborhood-centered development with positive implications for job creation and environmental conditioning
- Ensure the safety of human health and the environment
- Provide a tangible benefit to the surrounding neighborhoods
- Employ "green" uses to combat the site's negative image from its past use
- Provide new employment opportunities
- Generate new tax base
- Take advantage of opportunities for the cogeneration of heat and power
- Respond to existing site conditions and locational opportunities
- Address the need for lightweight construction (such as restrooms, concession stands, etc.) and capping requirements
- Accommodate the need for ongoing remediation and environmental monitoring
- To review existing data, reports and plans relating to the Valleycrest site and surrounding area
- To conduct site inventory and analysis of the Valleycrest site
- To gather input from the City of Dayton, NEPB, VNCC, ONDNA, Valleycrest Landfill Site Group, and conduct investigative interviews with potential reusers in order to gain a sense of community goals and attitudes
- To make recommendations for Valleycrest Landfill site improvements, making it a valuable asset to the Dayton community

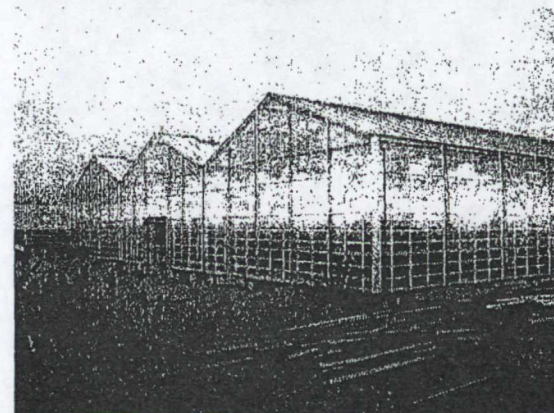
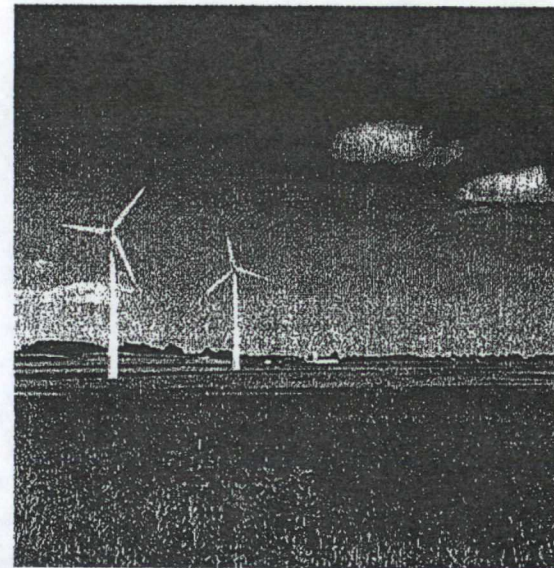




# Redevelopment Objectives

## Objectives

- Reclaim the Valleycrest Landfill site for reuse potential
- Develop publicly accessible active and passive/open space recreation
- Eco-Industrial Development
- Green Power Distribution
- Urban Agriculture and Horticulture
- Research Institutions
- Establish compatibility with Downtown Dayton, Old North Dayton neighborhood, the Mad River Recreation Corridor, Wright-Patterson Air Force Base and Museum, and Wright State University
- Develop a framework for redevelopment of the Valleycrest Landfill site





# Planning and Design Process

Throughout the Planning and Design Process, a definite focus was placed on collaboration and public participation. A series of public forums were held in which citizens had the opportunity to voice their opinions and actively shape the future of the Valleycrest Landfill site.

## Work Phase I Preliminary Investigations

Base mapping information and other relevant data was provided by the City of Dayton in order to begin the project process. This information was then analyzed and discussed with the RFT, in order to define the physical constraints and limits of development for the site. Extensive site inventory and analysis was then conducted in order to fully comprehend the critical site issues and conditions, including a firsthand visit to the Valleycrest Landfill site. A strong partnership was developed between the City of Dayton, the Federal and Ohio EPAs, the public and Envision-Works Inc. in order to produce a preliminary outline of the written Planning and Design Program. This document will serve as a development framework for the reuse plan, including design goals, objectives, options and standards for the site. Feedback was then solicited for this Planning and Design program from the City of Dayton RFT, and revisions were made.

## Work Phase II Final Reuse Framework Formulation

Based on the feedback received on the approved Planning and Design Program, two preliminary reuse framework scenarios were developed for the Valleycrest Landfill site. These scenarios explored the potential land uses both within and immediately adjacent to the landfill. The alternative landfill reuse frameworks depicted schematic site and facility development patterns including streets and parking, building configurations, open spaces, environmental design enhancements, and other public and private land use amenities that would describe the potential physical development on site. These alternative scenarios were prepared to graphically depict the recommended land uses (see Appendix, pages 11&12).

## VALLEYCREST LANDFILL-REUSE FRAMEWORK

Envision-Works, Inc. November 30, 2004

### Work Phase I - Preliminary Investigation

Base Mapping



Data Collection



Site Inventory and Analysis



Planning And Design Program

### Work Phase II - Reuse Plan Formulation

Alternative Plans and



Final Recommended Plan

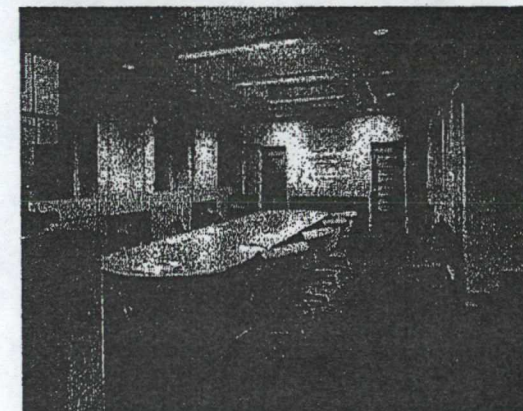
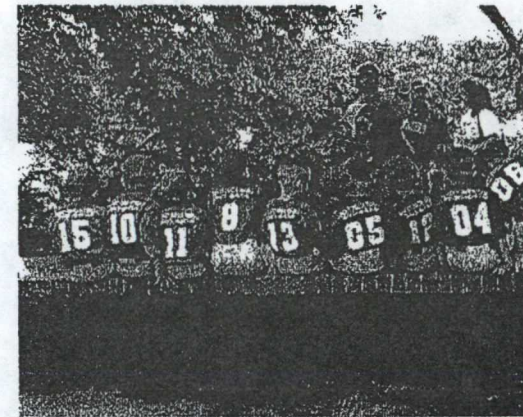


## Site Recommendations

The Final Reuse Framework included recommendations for the future improvement of the Valleycrest Landfill site. The following recommendations and descriptions correspond to the map on page 10.

### All Areas

- All existing vegetation on site is strongly encouraged to be protected and preserved primarily on the perimeter and where appropriate throughout the development.
- All new development on the site should encourage and promote the use of building and construction techniques, designs and materials that are environmentally responsible, sustainable and will result in a healthy place in which to work and play.
- All uses and activities on site must be publicly accessible and meet all City of Dayton regulations for such items as, but not limited to, noise, hours of operation and public assembly.
- Zoning should reflect the intent and purpose of the recommended development for the subject area.
- Explore using existing geographical features for future site amenities, energy efficiency and environmental sensitivity.
- Public R.O.W. access must be provided through the site for existing residents to the north and other on site amenities.
- Provide a minimum landscape buffer of 30' between all residential areas adjacent to the developable Valleycrest site.
- Explore methods of improving the visual appearance of the properties adjacent to the eastern property line of the site.

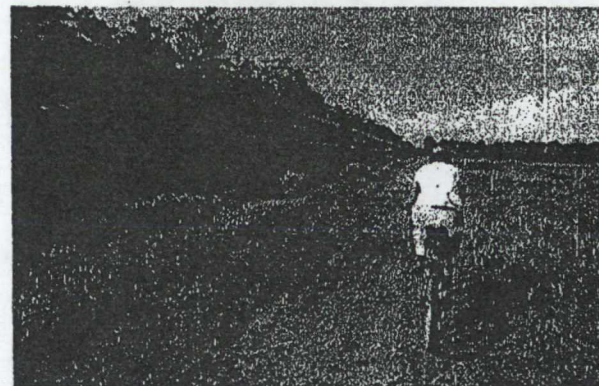




# Site Recommendations

## Area A

- Clean up and enhance the "natural" appearance of the site along Brandt Pike.
- Site redevelopment should be contained within the western 1/3 of the site. Redevelopment should encourage uses that promote building development possibilities to include, but not limited to, low intensity commercial and/or business offices, a public safety facility, a health club, an indoor/outdoor recreation facility, a research development facility, etc.
- Explore acquiring and using the railroad R.O.W. to the south for pedestrian and bicycle access to the site.



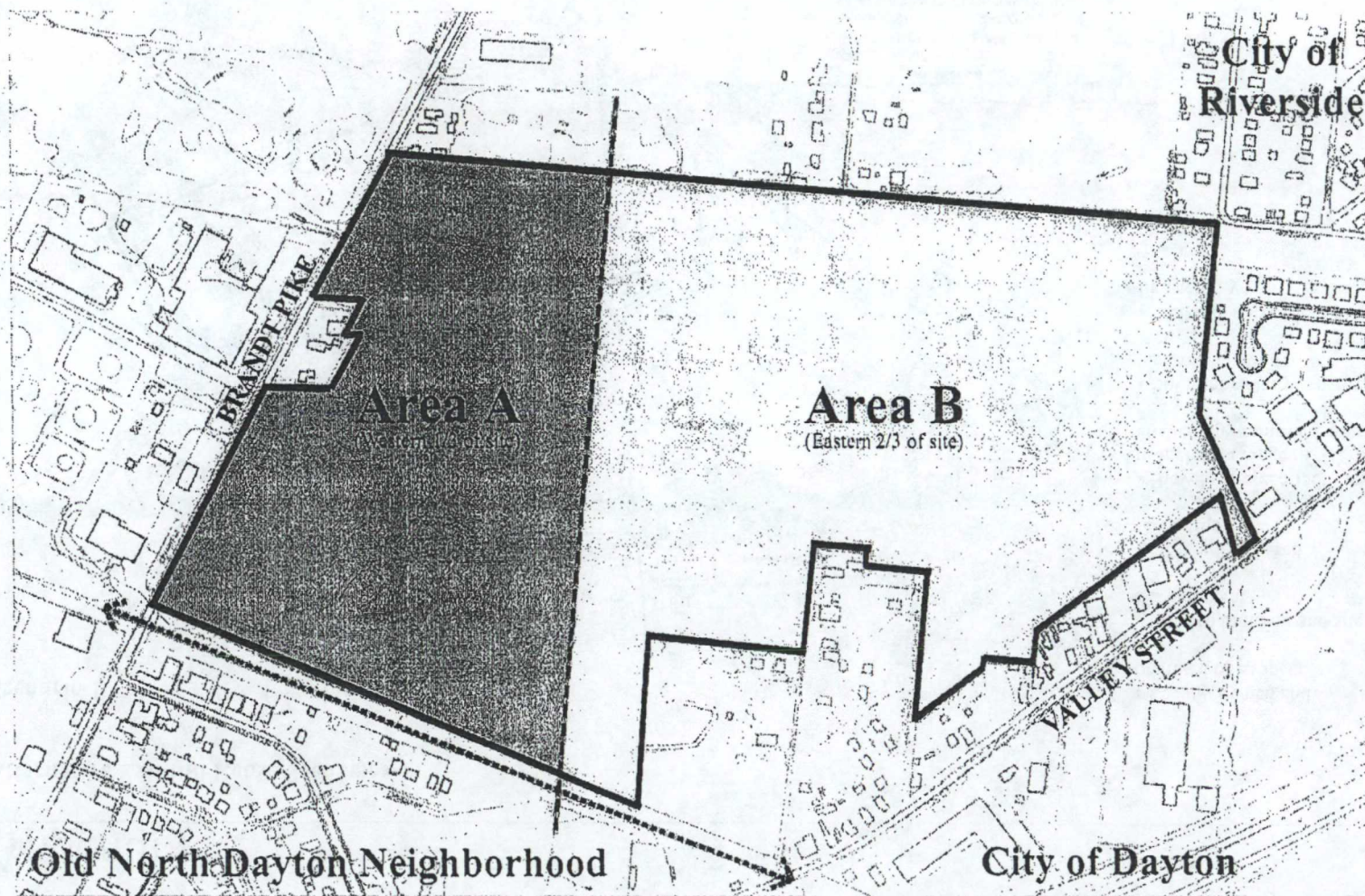
## Area B

- Explore acquiring and using the railroad R.O.W. to the south for pedestrian and bicycle access to the site.
- Development on eastern 2/3 of the property should encourage uses which have an emphasis on publicly accessible outdoor and open space recreational activities such as soccer, tennis, and biking. Zoning should reflect the intent and purpose of the recommended development for the subject area.





## Final Reuse Framework Map

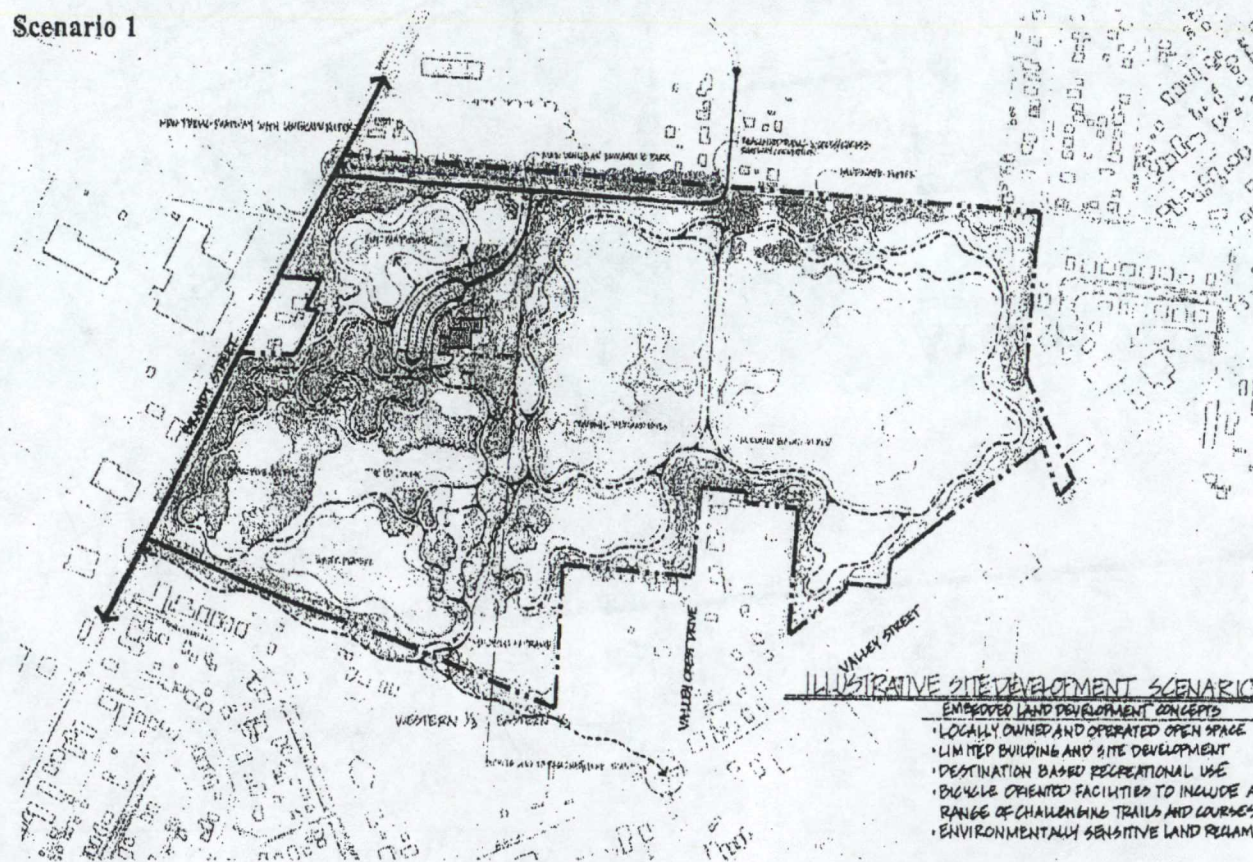




# Appendix

## Alternative Landfill Reuse Scenarios

### Scenario 1

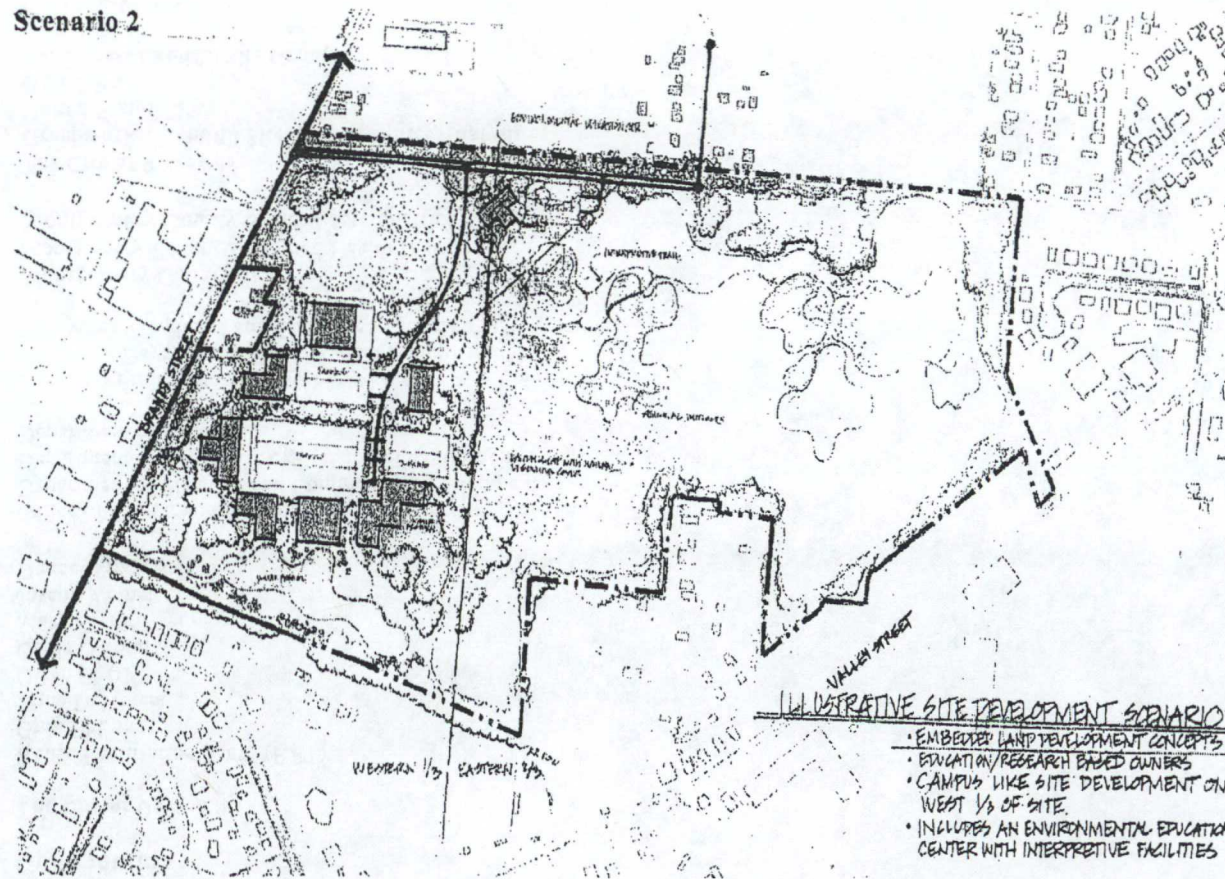


- Locally owned and operated open space
- Limited building and site development
- Destination-based recreational use
- Bicycle oriented facilities to include a range of challenging trails and courses
- Environmentally sensitive land reclamation
- Walking activity and park-like activity



# Appendix

## Scenario 2



- Education/research based on owner preference
- Campus-like site development on western 1/3 of site
- Includes environmental education center with interpretive facilities

# Appendix

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## Contributors

### The City of Dayton

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